

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 TONI PERRY,

4 Plaintiff

5 v.

6 C R BARD INCORPORATED and BARD
7 PERIPHERAL VASCULAR
INCORPORATED,

8 Defendants

Case No.: 2:19-cv-01570-APG-BNW

**Order Dismissing Case for Lack of Subject
Matter Jurisdiction**

9 The MDL Master Complaint asserts that jurisdiction in this court is based on diversity
10 and that the unofficial southern division of this district is the proper venue. ECF No. 1.

11 However, the complaint does not contain facts regarding the parties' citizenship. It also does not
12 allege that the amount in controversy exceeds \$75,000 or facts to support that that jurisdictional
13 threshold is satisfied. Finally, the complaint does not contain sufficient facts to determine
14 whether the case is properly filed in the unofficial northern or southern divisions of this court.
15 See LR IA 1-8(a). I therefore ordered the plaintiff to show cause in writing why this action
16 should not be dismissed for lack of subject matter jurisdiction and to set forth facts relevant to
17 determining in which unofficial division this case should have been filed. ECF No. 29. The
18 plaintiff did not respond.

19 I THEREFORE ORDER that this action is DISMISSED without prejudice for lack of
20 subject matter jurisdiction. The clerk of court is instructed to close this case.

21 DATED this 10th day of February, 2020.

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23 
ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE